



Advocates for Workplace Fairness

August 24, 2023

**Via ECF**

The Honorable Nelson S. Roman  
United States District Judge  
Southern District of New York  
300 Quarrapas St.  
White Plains, New York 10601-4150

**Re: Dail Moses-Taylor v. Greyston Foundation, Inc., Case No. 1:21-cv-06756**

Dear Judge Roman:

We represent the Plaintiff Dail Moses-Taylor in the above-referenced matter. Consistent with what has become an undeniable pattern of abuse of the judicial process, Greyston has once again failed to comply with the Court's most recent extended deadline of August 23 to provide the settlement payment. Thus, and pursuant to Your Honor's August 2, 2023 Order (ECF No. 65), Plaintiff by this letter respectfully requests that the Court order Defendant to pay the overdue settlement sums by tomorrow, and, to ensure Defendant's compliance, Plaintiff renews her request for a pre-motion conference with respect to her proposed motion for sanctions. (*See* ECF No. 66.)

Plaintiff respectfully submits that sanctions are appropriate to address Defendant's and its counsel's repeated misconduct throughout this litigation, and most recently its unjustified material breach of its Court-ordered obligation to make the settlement payments (as of this letter, the payments are 54 days late). Demonstrative of Defendant's repeated and flagrant disregard of its obligations including those ordered by the Court, Plaintiff has been forced to seek Court intervention on eleven (11) occasions to address Defendant's misconduct. (*See* ECF Nos. 19, 24, 30, 32, 41, 43, 47, 49, 53, 61, and 63). At this point sanctions are clearly warranted, including because Defendant and its counsel have long been on notice that continued non-compliance with Defendant's obligations would result in sanctions. (*See* ECF Nos. 31, 35).

Given this history, we implore the Court to take action, rather than countenance Defendant's continued breach of its contractual and Court-ordered obligations. Accordingly, Plaintiff respectfully requests that the Court order either Defendant or its counsel to pay (1) Plaintiff post-judgment interest at 9% of the settlement sum since June 30 through August 23, or \$4,993.15, and statutory interest at \$92.47 per day for each additional day that the payment is late; (2) her reasonable attorneys' fees and costs incurred in connection with her prior

enforcement motion and her efforts since then to ensure Defendant's compliance with the Agreement, including her letter motion and this response (approximately \$25,300); and (3) any other sanctions that the Court deems are appropriate.

We thank the Court for its consideration of this matter.

Respectfully submitted,



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cc: All Parties (via ECF)